

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2328 of 2015

Arising out of PS.Case No. -301 Year- 2014 Thana -GAIGHAT District- MUZAFFARPUR

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Shiv Shankar Singh, Son of Late Amir Singh, Resident of Village Pana
Chhapra, P.S. Motipur, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Shri Hari Kishore Thakur, Advocate
For the State : Shri Amrendra Prasad, APP

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

4 09-07-2015

Heard.

The informant is the Mukhiya of Gram Panchayat of Baghakahal, Police Station-Gaighat in the district of Muzaffarpur. The written report filed by him principally alleges indiscipline on part of the petitioner and further indicates that the Mukhiya had written for initiation of departmental proceedings against him. The central theme being the indisciplined behaviour of the petitioner, the same also appears blended with certain allegations of misappropriation of fund or financial irregularity. Instances of schemes have been put down in the written report but, what this Court finds is that there is no detail as to what amount had been defalcated or misappropriated by the petitioner.

The petitioner is the Panchayat Secretary and has

pleaded right from the court of the learned Sessions Judge, Muzaffarpur up to this Court that the informant Mukhiya wants some undue advantage from him and has further placed on record certain documents which do not show any financial irregularity. The case diary also reveals that the Mukhiya wants to establish his hegemony over Panchayati Raj institutions than to really act as per fair practice and provisions of law.

Let petitioner, namely, Shiv Shankar Singh in the light of the above facts and circumstances be directed to be released on bail on furnishing bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each either in the event of his arrest by the police or surrender in the court below in connection with Gaighat P.S. Case No. 301 of 2014 to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Dharnidhar Jha, J.)

Sanjay/-

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